

The Appellate Strategist

INSIGHTS ON APPELLATE ISSUES, TRIAL CONSULTATIONS, AND EVALUATING APPEALS

[California Supreme Court Sets Oral Argument for December 2010](#)

October 28, 2010 by [Michael Walsh](#)

The California Supreme Court has [scheduled oral argument](#) in three civil cases for hearing in Los Angeles in December 2007.

- ***Cortez v. Abich***, which will address the extent of the household domestic service exception to Cal-OHSA ([Labor Code section 6300 et seq.](#)) in light of the defendant home owner's remodeling project, which added a new master bedroom, a new master bath, a new garage in place of a carport, and a new roof. For more details about *Cortez*, see the [Employment – Other update page](#).
- ***Sonic-Calabasas A, Inc. v. Moreno***, addresses two issues: (1) Can a mandatory employment arbitration agreement be enforced prior to the conclusion of an administrative proceeding conducted by the Labor Commissioner concerning an employee's statutory wage claim? (2) Was the Labor Commissioner's jurisdiction over employee's statutory wage claim divested by the Federal Arbitration Act under [Preston v. Ferrer](#) (2008) __ U.S. __, 128 S.Ct. 978? For more details about *Sonic-Calabasas A, Inc.*, see the [Employment – Other update page](#).
- ***California Farm Bureau Fed. v. California State Water Resources Control Bd.***, which evaluates [Water Code § 1525](#): (1) Does § 1525, which was amended by the Legislature by majority vote in 2003 to impose annual fees on the persons and entities holding permits and licenses issued by the State Water Resources Control Board, impose an invalid tax or a lawful regulatory fee? (2) If §1525 is valid, may the Water Resources Control Board permissibly collect a fee levied on an entity which has sovereign immunity from a person or entity who has a contract with the immune sovereign? (3) If the statutory scheme is valid, but the regulations implementing it are invalid, did the Court of Appeal err in limiting refunds to only those persons and entities filing petitions for reconsideration before the Water Resources Control Board? For more details about *California Farm Bureau Fed.*, see the Taxation & Assessments update page.